

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

USE OF MAGNETIC IMPLANTS TO TREAT BODY TISSUE STRUCTURES

the specification of which

(check ☒ [X] is attached hereto one)

☐ [] was filed on _____ as Application
Serial No. _____ and was amended on _____.

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I do not know and do not believe that the invention was ever patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application.

I do not know and do not believe that the invention was in public use or on sale in the United States of America more than one year prior to this application.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known by me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

Express Mail Label No.
EV079974814US

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

| | | | <u>Priority Claimed</u> | |
|---------------------------------|------------------|-------------------------------|--------------------------|--------------------------|
| | | | <input type="checkbox"/> | <input type="checkbox"/> |
| <u>(Number)</u> | <u>(Country)</u> | <u>(Day/Month/Year Filed)</u> | Yes | No |
| <u>60/444,065</u> | | <u>January 29, 2003</u> | <input type="checkbox"/> | <input type="checkbox"/> |
| <u>(Provisional Appln. No.)</u> | | <u>(Filing Date)</u> | Yes | No |
| <u>60/457,959</u> | | <u>March 25, 2003</u> | <input type="checkbox"/> | <input type="checkbox"/> |
| <u>(Provisional Appln. No.)</u> | | <u>(Filing Date)</u> | Yes | No |

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

| | |
|---------------------------------|-------------------------|
| <u>60/444,065</u> | <u>January 29, 2003</u> |
| <u>(Provisional Appln. No.)</u> | <u>(Filing Date)</u> |
| <u>60/457,959</u> | <u>March 25, 2003</u> |
| <u>(Provisional Appln. No.)</u> | <u>(Filing Date)</u> |

and

| | |
|---------------------------------|-----------------------|
| <u>60/465,283</u> | <u>April 23, 2003</u> |
| <u>(Provisional Appln. No.)</u> | <u>(Filing Date)</u> |

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known by me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.) (Filing Date) (Status) (patented,
pending, abandoned)

(Application Serial No.) (Filing Date) (Status) (patented,
pending, abandoned)

As a named inventor, I hereby appoint the following attorneys
or agents to prosecute this application and transact all
business in the United States Patent and Trademark Office
connected therewith:

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I hereby declare that all statements made herein of my own
knowledge are true and that all statements made on information
and belief are believed to be true; and further that these
statements were made with the knowledge that willful false
statements and the like so made are punishable by fine or
imprisonment, or both, under Section 1001 of Title 18 of the
United States Code and that such willful false statements may
jeopardize the validity of the application or any patent
issued thereon.

Full name of first inventor Chad John Kugler

First Inventor's signature

Chad John Kug

6/30/03

Date

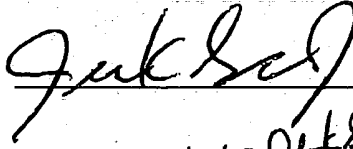
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Full name of second joint inventor Jerome Kent Grudem, Jr.

First Inventor's signature



6/30/03

Date

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6/30/03
